



July 13, 2004



**VIA U.P.S. OVERNIGHT**

Surface Transportation Board  
Section of Environmental Analysis  
1925 "K" St., N.W., Room 504  
Washington, DC 20423-0001

211577

**Attention:** Victoria Rutson

**RE: Docket No. AB-33(Sub-No.221X), Union Pacific Railroad Company  
- Abandonment Exemption - - In Santa Clara County, California  
(San Jose Industrial Lead)**

Dear Ms. Rutson:

Enclosed for filing in the above-referenced docket is the original and ten (10) copies of a Combined Environmental and Historic Report prepared pursuant to 49 C.F.R. §1105.7 and §1105.8, with a Certificate of Service, and a transmittal letter pursuant to 49 C.F.R. §1105.11.

Union Pacific anticipates filing a Petition for Exemption in this matter on or after August 2, 2004.

Sincerely,

Enclosures

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Office of Proceedings  
JUL 14 2004  
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Public Record

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Mack H. Shumate, Jr.  
Senior General Attorney, Law Department

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UNION PACIFIC RAILROAD  
101 N. Wacker Dr., Rm. 1920, Chicago, IL 60606-1718  
ph. (312) 777-2055 fx. (312) 777-2065

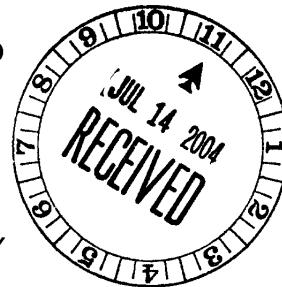
BEFORE THE  
SURFACE TRANSPORTATION BOARD

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Docket No. AB-33 (Sub-No. 221X)

UNION PACIFIC RAILROAD COMPANY  
-- ABANDONMENT EXEMPTION --  
IN SANTA CLARA COUNTY, CALIFORNIA  
(SAN JOSE INDUSTRIAL LEAD)

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ENTERED  
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JUL 14 2004

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Public Record

Combined Environmental and Historic Report

UNION PACIFIC RAILROAD COMPANY  
Mack H. Shumate, Jr., Senior General Attorney  
101 North Wacker Drive, Room 1920  
Chicago, Illinois 60606  
(312) 777-2055  
(312) 777-2065 FAX

Dated: July 13, 2004  
Filed: July 14, 2004

BEFORE THE  
SURFACE TRANSPORTATION BOARD

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Docket No. AB-33 (Sub-No. 221X)

UNION PACIFIC RAILROAD COMPANY  
-- ABANDONMENT EXEMPTION --  
IN SANTA CLARA COUNTY, CALIFORNIA  
(SAN JOSE INDUSTRIAL LEAD)

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Combined Environmental and Historic Report

Union Pacific Railroad Company ("UP") submits this Combined Environmental and Historic Report pursuant to 49 C.F.R. § 1105.7(e) and 49 C.F.R. § 1105.8(d), respectively, for an exempt abandonment and discontinuance of service over the San Jose Industrial Lead from milepost 16.3 to milepost 19.6, a distance of 3.3 miles in Santa Clara County, California (the "Line"). The Line traverses U. S. Postal Service Zip Codes 95116, 95122, and 95112.

The UP anticipates that a Petition For Exemption to abandon the Line will be filed at the STB on or after August 2, 2004.

A map of the Line marked **Attachment No. 1** is attached hereto and hereby made part hereof. UP's letter to federal, state and local government agencies marked **Attachment No. 2** is attached hereto and hereby made a part hereof. Responses, if any, received to UP's letters to date are typically attached and sequentially numbered. However, to date, UP has received no responses to its letter of inquiry.

ENVIRONMENTAL REPORT  
49 C.F.R. § 1105.7(e)

(1) **Proposed action and alternatives.** Describe the proposed action, including commodities transported, the planned disposition (if any) of any rail line and other structures that may be involved, and any possible changes in current operations or maintenance practices. Also describe any reasonable alternatives to the proposed action. Include a readable, detailed map and drawings clearly delineating the project.

**Response:** The proposed action involves the abandonment and discontinuance of service over the San Jose Industrial Lead from milepost 16.3 to milepost 19.6, a distance of 3.3 miles, in Santa Clara County, California. The portion of the Line from milepost 16.3 to milepost 17.49 is owned by the Santa Clara Valley Transportation Authority (VTA) and UP is discontinuing its trackage rights and abandoning its freight easement over that segment. UP owns that portion of the Line from milepost 17.49 to milepost 19.6. Smurfit Stone Recycling ("Smurfit") is the only customer currently being served on the Line. However, a new spur will be built from an adjacent UP line to serve this customer, so Smurfit will not lose rail service as a result of the proposed abandonment. The shipping profile for Smurfit is as follows

Smurfit Stone Recycling  
205 East Alma Avenue  
San Jose, CA 95112

2002: Scrap or Waste Paper, STCC 4024115, 138 cars, 8632 tons.

2003: Scrap or Waste Paper, STCC 4024115, 123 cars, 7001 tons.

First Quarter 2004: Scrap or Waste Paper, STCC 4024115, 26 cars, 1588 tons.

Base Year and Forecast Year:

Scrap or Waste Paper, STCC 4024115, 99 cars, 5823 tons.

The abandonment will have no adverse effect on Smurfit because Smurfit will continue to receive direct rail service from UP via a new spur connection to Smurfit's facility on the Line. The City of San Jose will continue to receive rail service from UP lines adjacent to or in the vicinity of the Line. The San Jose area is served by numerous major highways including Interstates 880, 280, and 680.

There appears to be no reasonable alternative to the abandonment. There will be minimal, if any, adverse effect on shippers on the Line. Development in the area of San Jose served by the San Jose Industrial Lead is shifting away from rail oriented industries, decreasing the likelihood that a major new rail oriented shipper would be interested in locating on the Line. Any overhead traffic through San Jose can move over an adjacent UP line. The Line is served by a local UP train as needed.

The Line was constructed in 1921 by the Western Pacific Railroad. It is constructed primarily with 100-pound and 115-pound welded rail, with some additional short segments of 75-pound and 100-pound jointed rail. The freight easement and trackage rights transactions with VTA occurred in December, 2002.

The Line is located entirely within central San Jose proper. As such, the Line is surrounded by existing streets, highways, mass transportation services, utilities and public parks for recreation. The segment of the Line between mileposts 16.3 and 17.49 (William Street), over which UP will give up its operating rights, was sold to the VTA in December, 2002 and is intended for future inclusion in the BART mass transit system. We do not believe the right-of-way on that portion of the Line from milepost 17.49 to milepost 19.6 is suited to other public purposes including roads or highways, other forms of mass transportation, conservation, energy production or transmission, or recreation. An

examination of those applicable original acquisition deeds which could be located revealed no title restrictions or reversionary interests affecting non-rail use of the property. Based on information in our possession, the Line does not contain federally granted right-of-way. Any documentation in UP's possession will be made available to those requesting it.

A map of the Line is attached as **Attachment No. 1**.

(2) **Transportation system.** Describe the effects of the proposed action on regional or local transportation systems and patterns. Estimate the amount of traffic (passenger or freight) that will be diverted to other transportation systems or modes as a result of the proposed action.

**Response:** There should be no effect on regional or local transportation systems, because rail service will continue and there will be no diversion to other modes or systems.

(3) **Land use.** (i) Based on consultation with local and/or regional planning agencies and/or a review of the official planning documents prepared by such agencies, state whether the proposed action is consistent with existing land use plans. Describe any inconsistencies.

(ii) Based on consultation with the U.S. Soil Conservation Service, state the effect of the proposed action on any prime agricultural land.

(iii) If the action effects land or water uses within a designated coastal zone, include the coastal zone information required by § 1105.9.

(iv) If the proposed action is an abandonment, state whether or not the right-of-way is suitable for alternative public use under 49 U.S.C. § 10905 and explain why.

**Response:** (i) The Santa Clara County Supervisors Office has been contacted. To date UP has received no response.

(ii) The United States Natural Resources Conservation Service has been contacted. To date UP has received no response.

(iii) The California Coastal Commission has been contacted.

To date UP has received no response.

(iv) The property is generally not suitable for other public purposes including roads or highways, other forms of mass transportation, conservation, energy production or transmission, as this area is adequately served by existing roads and utility lines at the present time.

(4) **Energy.** (i) Describe the effect of the proposed action on transportation of energy resources.

(ii) Describe the effect of the proposed action on recyclable commodities.

(iii) State whether the proposed action will result in an increase or decrease in overall energy efficiency and explain why.

(iv) If the proposed action will cause diversions from rail to motor carriage of more than:

(A) 1,000 rail carloads a year, or

(B) an average of 50 rail carloads per mile per year for any part of the affected Line, quantify the resulting net change in energy consumption and show the data and methodology used to arrive at the figure given.

**Response:** (i) There will be no effects on the transportation of energy resources.

(ii) Recyclable commodities moved over the Line are not affected.

(iii) There will be no effect on energy efficiency.

(iv)(A)(B) There will be no rail-to-motor diversion.

(5) **Air.** (i) If the proposed action will result in either:

(A) an increase in rail traffic of at least 100% (measured in gross ton miles annually) or an increase of at least eight trains a day on any segment of rail line affected by the proposal, or

(B) an increase in rail yard activity of at least 100% (measured by carload activity), or

(C) an average increase in truck traffic of more than 10% of the average daily traffic or 50 vehicles a day on any affected road segment, quantify the anticipated effect on air emissions. For a proposal under 49 U.S.C. § 10901 (or § 10505) to construct a new line or reinstitute service over a previously abandoned line, only the eight train a day provision in §§ (5)(i)(A) will apply.

**Response:** There is no such effect anticipated.

(5) **Air.** (ii) If the proposed action affects a class 1 or nonattainment area under the Clean Air Act, and will result in either:

(A) an increase in rail traffic of at least 50% (measured in gross ton miles annually) or an increase of at least three trains a day on any segment of rail line, or

(B) an increase in rail yard activity of at least 20% (measured by carload activity), or

(C) an average increase in truck traffic of more than 10% of the average daily traffic or 50 vehicles a day on a given road segment, then state whether any expected increased emissions are within the parameters established by the State Implementation Plan. However, for a rail construction under 49 U.S.C. § 10901 (or 49 U.S.C. § 10505), or a case involving the reinstitution of service over a previously abandoned line, only the three train a day threshold in this item shall apply.

**Response:** There will be no increase in rail traffic, rail yard activity, or truck traffic of these magnitudes as a result of the proposed action.

(5) **Air.** (iii) If transportation of ozone depleting materials (such as nitrogen oxide and freon) is contemplated, identify: the materials and quantity; the frequency of service; safety practices (including any speed restrictions); the applicant's safety record (to the extent available) on derailments, accidents and spills; contingency plans to deal with accidental spills; and the likelihood of an accidental release of ozone depleting materials in the event of a collision or derailment.

**Response:** The proposed action will not affect the transportation of ozone depleting materials.

(6) **Noise.** If any of the thresholds identified in item (5)(i) of this section are surpassed, state whether the proposed action will cause:



(i) an incremental increase in noise levels of three decibels Ldn  
or more or

(ii) an increase to a noise level of 65 decibels Ldn or greater.  
If so, identify sensitive receptors (e.g., schools, libraries, hospitals, residences, retirement communities, and nursing homes) in the project area and quantify the noise increase for these receptors if the thresholds are surpassed.

**Response:** Not applicable.

(7) **Safety.** (i) Describe any effects of the proposed action on public health and safety (including vehicle delay time at railroad grade crossings).

(ii) If hazardous materials are expected to be transported, identify: the materials and quantity; the frequency of service; whether chemicals are being transported that, if mixed, could react to form more hazardous compounds; safety practices (including any speed restrictions); the applicant's safety record (to the extent available) on derailments, accidents and hazardous spills; the contingency plans to deal with accidental spills; and the likelihood of an accidental release of hazardous materials.

(iii) If there are any known hazardous waste sites or sites where there have been known hazardous materials spills on the right-of-way, identify the location of those sites and the types of hazardous materials involved.

**Response:** (i) The proposed action will have no detrimental effects on public health and safety.

(ii) The proposed action will not affect the transportation of hazardous materials.

(iii) There are no known hazardous material waste sites or sites where known hazardous material spills have occurred on or along the subject right-of-way.

(8) **Biological resources.** (i) Based on consultation with the U.S. Fish and Wildlife Service, state whether the proposed action is likely to adversely affect endangered or threatened species or areas designated as a critical habitat, and if so, describe the effects.

(ii) State whether wildlife sanctuaries or refuges, National or State parks or forests will be affected, and describe any effects.

**Response:** (i) The U. S. Fish and Wildlife Service has been contacted. To date UP has received no response.

(ii) UP is not aware of any wildlife sanctuaries or refuges, or of any National or State parks or forests, that will be affected by the proposed abandonment.

(9) **Water.** (i) Based on consultation with State water quality officials, state whether the proposed action is consistent with applicable Federal, State or local water quality standards. Describe any inconsistencies.

(ii) Based on consultation with the U.S. Army Corps of Engineers, state whether permits under section 404 of the Clean Water Act (33 U.S.C. § 1344) are required for the proposed action and whether any designated wetlands or 100-year flood plains will be affected. Describe the effects.

(iii) State whether permits under section 402 of the Clean Water Act (33 U.S.C. § 1342) are required for the proposed action. (Applicants should contact the U.S. Environmental Protection Agency or the state environmental protection or equivalent agency if they are unsure whether such permits are required.)

**Response:** (i) The California Environmental Protection Agency has been contacted. To date UP has received no response.

(ii) The U.S. Army Corps of Engineers has been contacted. To date no response has been received.

(iii) It is not anticipated there will be any requirements for Section 402 permits.

(10) **Proposed Mitigation.** Describe any actions that are proposed to mitigate adverse environmental impacts, indicating why the proposed mitigation is appropriate.

**Response:** There are no known adverse environmental impacts.

HISTORIC REPORT  
49 C.F.R. § 1105.8(d)

(1) A U.S.G.S. topographic map (or an alternate map drawn to scale and sufficiently detailed to show buildings and other structures in the vicinity of the proposed action) showing the location of the proposed action, and the locations and approximate

dimensions of railroad structures that are 50 years old or older and are part of the proposed action:

**Response:** See **Attachment No. 1.**

(2) A written description of the right-of-way (including approximate widths to the extent known), and the topography and urban and/or rural characteristics of the surrounding area:

**Response:** The terrain under this Line is essentially flat and all urban in nature. Right-of-way between milepost 16.3 and William Street (which belongs to VTA) is mostly 60 feet in width with some 80 foot width stretches. At William Street, UP's remaining ownership starts at William Street Yard, with an approximately 300' wide X 3,200' long strip containing various tracks parallel with the main line. The width tapers down to 150' at the yard's south end (MP 18.4) and remains so until crossing nearby Keyes Street (MP 18.5), where the right-of-way narrows to a 60' width along the westerly edge of Senter Road. The Line then makes a ninety degree turn at about MP 19.0 and runs southwesterly to end at MP 19.6. The final 0.6 mile segment passes through an older industrial/commercial area of San Jose now mainly occupied by trucking/warehousing, material storage, scrap metal/recycling and vehicle repair businesses.

(3) Good quality photographs (actual photographic prints, not photocopies) of railroad structures on the property that are 50 years old or older and of the immediately surrounding area:

**Response:** The California Department of Park and Recreation, Office of Historic Preservation was provided with thirteen (13) photographs of the two railroad bridges affected by the abandonment. A copy of the letter to the California Office of Historic Preservation and pictures are attached hereto as **Attachment No. 3**, and hereby

made a part hereof. To date, UP has not received a response from the Office of Historic Preservation.

(4) The date(s) of construction of the structure(s), and the date(s) and extent of any major alterations to the extent such information is known:

**Response:** The bridges and their dates of construction are listed on the map, **Attachment No. 1**, and in the letter, **Attachment No 3**.

(5) A brief narrative history of carrier operations in the area, and an explanation of what, if any, changes are contemplated as a result of the proposed action:

**Response:** See the preceding pages for a brief history and description of carrier operations.

(6) A brief summary of documents in the carrier's possession, such as engineering drawings, that might be useful in documenting a structure that is found to be historic:

**Response:** Not applicable.

(7) An opinion (based on readily available information in the railroad's possession) as to whether the site and/or structures meet the criteria for listing on the National Register of Historic Places (36 C.F.R. § 60.4), and whether there is a likelihood of archeological resources or any other previously unknown historic properties in the project area, and the basis for these opinions (including any consultations with the State Historic Preservation Office, local historical societies or universities):

**Response:** At this time, UP knows of no historic sites or structures or archeological resources on the Line or in the project area. UP believes that there is nothing in the scope of the project that merits historical comment and that any archeological sites within the scope of the right-of-way would have previously been disturbed during the construction of the Line.

(8) A description (based on readily available information in the railroad's possession) of any known prior subsurface ground disturbance or fill, environmental conditions (naturally occurring or manmade) that might affect the archeological recovery of resources (such as swampy conditions or the presence of toxic wastes), and the surrounding terrain:

**Response:** UP does not have any such readily available information.

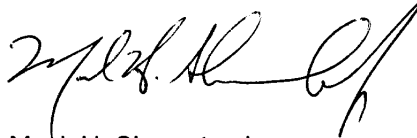
(9) Within 30 days of receipt of the historic report, the State Historic Preservation Officer may request the following additional information regarding specified nonrailroad owned properties or group of properties immediately adjacent to the railroad right-of-way. Photographs of specified properties that can be readily seen from the railroad right-of-way (or other public rights-of-way adjacent to the property) and a written description of any previously discovered archeological sites, identifying the locations and type of the site (i.e., prehistoric or native American):

**Response:** Not applicable.

Dated this 13<sup>th</sup> day of July, 2004.

Respectfully submitted,

UNION PACIFIC RAILROAD COMPANY



Mack H. Shumate, Jr.  
Senior General Attorney  
101 North Wacker Drive, Room 1920  
Chicago, Illinois 60606  
(312) 777-2055  
(312) 777-2065 FAX

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CERTIFICATE OF SERVICE  
OF THE  
COMBINED ENVIRONMENTAL AND HISTORIC REPORT

The undersigned hereby certifies that a copy of the foregoing Combined Environmental and Historic Report in Docket No. AB-33 (Sub-No. 221X) for the San Jose Industrial Lead in Santa Clara County, California was served by first class mail on the 13<sup>th</sup> day of July, 2004 on the following:

**State Clearinghouse (or alternate):**

Office of Planning and Research  
1400 Tenth Street  
Sacramento, CA 95814

**State Environmental Protection Agency:**

California Environmental Protection Agency  
1001 I Street  
Sacramento, CA 95814

**State Coastal Zone Management Agency  
(if applicable):**

California Coastal Commission  
45 Fremont Street  
Suite 2000  
San Francisco, CA 94105-2219

**Head of each County:**

Santa Clara County Supervisors  
70 W Hedding, 10th Floor  
County Courthouse  
San Jose, CA 95110

**Environmental Protection Agency  
(Regional Office):**

U.S. Environmental Protection Agency  
Region 9  
75 Hawthorne Street  
San Francisco, CA 94105

**U.S. Fish and Wildlife:**

U.S. Fish & Wildlife Service, Region 1  
911 NE 11th Avenue  
Portland, OR 97232-4181

**U.S. Army Corps of Engineers:**

U.S. Army Engineer  
San Francisco District  
3300 Market Street  
San Francisco, CA 94105-2197

**National Park Service:**

National Park Service  
William D. Shaddox  
Chief, Land Resources Division  
1849 "C" St., N. W., #MS3540  
Washington, DC 20240

**U.S. Natural Resources Conservation Service:**

State Conservationist  
Natural Resource Conservation Service  
430 G Street, #4164  
Davis, CA 95616-4164

**National Geodetic Survey:**

National Geodetic Survey  
Edward J. McKay, Chief  
Spatial Reference System Division  
NOAA N/NGS2  
1315 E-W Highway  
Silver Spring, MD 20910-3282

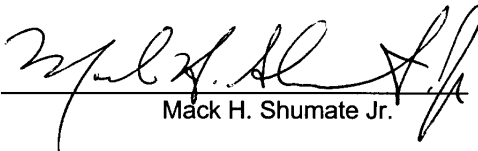
**State Historic Preservation Office:**

California Department of Parks and Recreation  
Office of Historic Preservation  
P. O. Box 942896  
Sacramento, CA 94296-0001

**Customer**

Smurfit Stone Recycling  
205 East Alma Avenue  
San Jose, CA 95112

Dated this 13<sup>th</sup> day of June, 2004

  
Mack H. Shumate Jr.

July 13, 2004

**State Clearinghouse (or alternate):**

Office of Planning and Research  
1400 Tenth Street  
Sacramento, CA 95814

**State Environmental Protection Agency:**

California Environmental Protection Agency  
1001 I Street  
Sacramento, CA 95814

**State Coastal Zone Management Agency  
(if applicable):**

California Coastal Commission  
45 Fremont Street  
Suite 2000  
San Francisco, CA 94105-2219

**Head of each County:**

Santa Clara County Supervisors  
70 W Hedding, 10th Floor  
County Courthouse  
San Jose, CA 95110

**Environmental Protection Agency  
(Regional Office):**

U.S. Environmental Protection Agency  
Region 9  
75 Hawthorne Street  
San Francisco, CA 94105

**U.S. Fish and Wildlife:**

U.S. Fish & Wildlife Service, Region 1  
911 NE 11th Avenue  
Portland, OR 97232-4181

**U.S. Army Corps of Engineers:**

U.S. Army Engineer  
San Francisco District  
3300 Market Street  
San Francisco, CA 94105-2197

**National Park Service:**

National Park Service  
William D. Shaddox  
Chief, Land Resources Division  
1849 "C" St., N. W., #MS3540  
Washington, DC 20240

**U.S. Natural Resources Conservation  
Service:**

State Conservationist  
Natural Resource Conservation Service  
430 G Street, #4164  
Davis, CA 95616-4164

**National Geodetic Survey:**

National Geodetic Survey  
Edward J. McKay, Chief  
Spatial Reference System Division  
NOAA N/NGS2  
1315 E-W Highway  
Silver Spring, MD 20910-3282

**State Historic Preservation Office:**

California Department of Parks and Recreation  
Office of Historic Preservation  
P. O. Box 942896  
Sacramento, CA 94296-0001

**Customer**

Smurfit Stone Recycling  
205 East Alma Avenue  
San Jose, CA 95112

Re: Proposed Abandonment of the San Jose Industrial Lead from Milepost  
16.3 to Milepost 19.6, a distance of 3.3 miles in Santa Clara County,  
California; STB Docket No. AB-33 (Sub-No. 221X)



Dear Sirs:

On or after August 2, 2004, we expect to be filing with the Surface Transportation Board (STB or Board) a Petition for Exemption seeking authority to abandon and discontinue operations over the San Jose Industrial Lead from Milepost 16.3 to Milepost 19.6, a distance of 3.3 miles, in Santa Clara County, California (the "Line"). The Line traverses U. S. Postal Service Zip Codes 95116, 95122, and 95112. Attached is a Combined Environmental and Historic Report which describes the proposed action and any expected environmental and historic effects, as well as a map of the affected area.

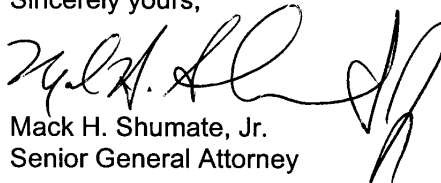
We are providing this report so that you may review the information that will form the basis for the STB's independent environmental analysis of this proceeding. If any of the information is misleading or incorrect, if you believe that pertinent information is missing, or if you have any questions about the Board's environmental review process, please contact the Section of Environmental Analysis (SEA) at the following address, and refer to the above-referenced Docket Numbers:

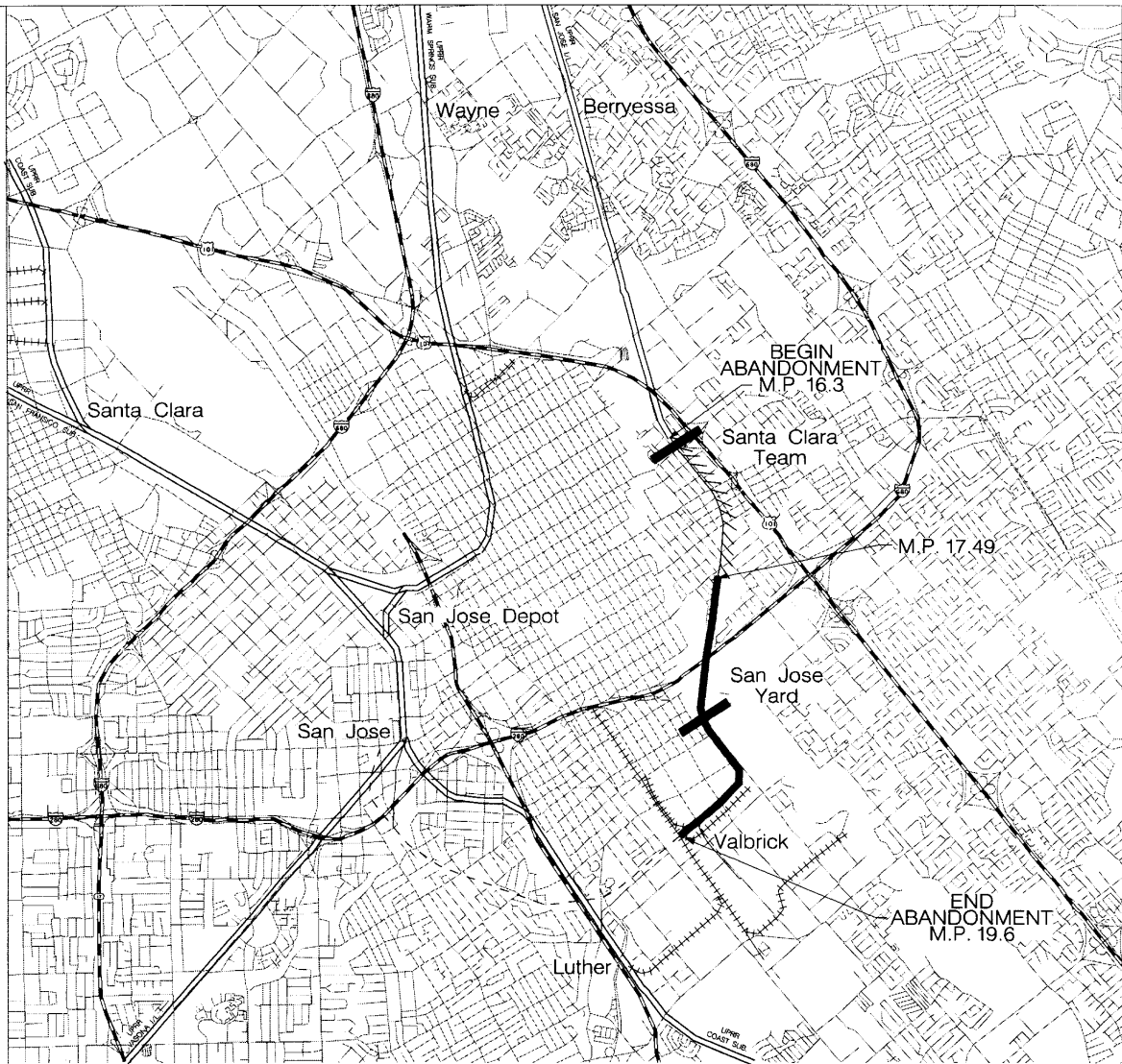
Surface Transportation Board  
Section of Environmental Analysis (SEA)  
1925 K Street, N.W., Room 504  
Washington, D.C. 20423-0001  
Telephone (202) 565-1545

Because the applicable statutes and regulations impose stringent deadlines for processing this action, your written comments to SEA (with a copy to our representative) would be appreciated within three weeks.

Your comments will be considered by the Board in evaluating the environmental and/or historic preservation impacts of the contemplated action. If there are any questions concerning this proposal, please contact our representative directly. UP's representative in this matter is the undersigned and may be contacted at the address and telephone number indicated on this letterhead.

Sincerely yours,

  
Mack H. Shumate, Jr.  
Senior General Attorney



BRIDGE NO.	BRIDGE TYPE	TOTAL LENGTH	DATE
16.32	5 SPAN TPTBD	75'	UNKNOWN
16.43	13 SPAN TPTOD	260'	UNKNOWN

## LEGEND

- UPRR LINES TO BE ABANDONED
- UPRR TRACKAGE RIGHTS OVER SANTA CLARA VALLEY TRANSPORTATION AUTHORITY
- ABANDONED TRACK
- OTHER UPRR LINES
- OTHER RAILROADS
- PRINCIPAL HIGHWAYS
- OTHER ROADS
- 50+ YEAR OLD STRUCTURES

## SAN JOSE INDUSTRIAL LEAD

MP 16.3 TO MP 19.6

TOTAL OF 3.3 MILES

IN SANTA CLARA COUNTY, CALIFORNIA

## UNION PACIFIC RAILROAD CO.

## SAN JOSE INDUSTRIAL LEAD

## SANTA CLARA TEAM TO VALBRICK, CALIFORNIA

INCLUDING 50+ YEAR OLD STRUCTURES

SCALE MILES

FILE: q:\abandonments\ab0343\_san jose.dgn

DATE: 06-May-04 09:40

AB-33(Sub-No. 221X)

CHARLES W. SAYLORS  
DIRECTOR-LEGAL SUPPORT SERVICES

## UNION PACIFIC RAILROAD COMPANY



1416 DODGE STREET  
OMAHA, NEBRASKA 68179  
(402) 271-4861

(402) 271-5625 (FAX)

May 6, 2004

**State Clearinghouse (or alternate):**

Office of Planning and Research  
1400 Tenth Street  
Sacramento, CA 95814

**State Environmental Protection Agency:**

California Environmental Protection Agency  
1001 I Street  
Sacramento, CA 95814

**State Coastal Zone Management Agency  
(if applicable):**

California Coastal Commission  
45 Fremont Street  
Suite 2000  
San Francisco, CA 94105-2219

**Head of each County:**

Santa Clara County Supervisors  
70 W Hedding, 10th Floor  
County Courthouse  
San Jose, CA 95110

**Environmental Protection Agency  
(Regional Office):**

U.S. Environmental Protection Agency  
Region 9  
75 Hawthorne Street  
San Francisco, CA 94105

**U.S. Fish and Wildlife:**

U.S. Fish & Wildlife Service, Region 1  
911 NE 11th Avenue  
Portland, OR 97232-4181

**U.S. Army Corps of Engineers:**

U.S. Army Engineer  
San Francisco District  
3330 Market Street  
San Francisco, CA 94105-2197

**National Park Service:**

National Park Service  
William D. Shaddox  
Chief, Land Resources Division  
1849 "C" St., N. W., #MS3540  
Washington, DC 20240

**U.S. Natural Resources Conservation Service:**

State Conservationist  
Natural Resource Conservation Service  
430 G Street, #4164  
Davis, CA 95616-4164

**National Geodetic Survey:**

National Geodetic Survey  
Edward J. McKay, Chief  
Spatial Reference System Division  
NOAA N/NGS2  
1315 E-W Highway  
Silver Spring, MD 20910-3282

**State Historic Preservation Office:**

California Department of Parks and Recreation  
Office of Historic Preservation  
P. O. Box 942896  
Sacramento, CA 94296-0001

Re: Proposed Abandonment of the San Jose Industrial Lead from Milepost 16.3 to Milepost 19.6, a distance of 3.3 miles in Santa Clara County, California; STB Docket No. AB-33 (Sub-No. 221X)

Dear Sirs:

Union Pacific Railroad Company plans to request authority from the Surface Transportation Board (STB) to abandon and discontinue service on the San Jose Industrial Lead from Milepost 16.3 to Milepost 19.6, a distance of 3.3 miles in Santa Clara County, California. The portion of the San Jose Industrial Lead between Milepost 16.3 and Milepost 17.49 (near William Street) is owned by Santa Clara Valley Transportation Authority (VTA), therefore, Union Pacific would be terminating our easement and trackage rights on this segment. A map of the proposed track abandonment shown in black is attached.

Pursuant to the STB's regulations at 49 C.F.R. Part 1152, and the environmental regulations at 40 C.F. R. Part 1105.7, this is to again request your assistance in identifying any potential effects of this action as indicated in the paragraphs below. We do not anticipate any adverse environmental impacts. However, if you identify any adverse environmental impacts, describe any actions that are proposed in order to mitigate the environmental impacts. Please provide us with a written response that can be included in an Environmental Report, which will be sent to the STB.

LOCAL AND/OR REGIONAL PLANNING AGENCIES. State whether the proposed action is consistent with existing land use plans. Describe any inconsistencies.

U. S. SOIL CONSERVATION SERVICE. State the effect of the proposed action on any prime agricultural land.

U. S. FISH AND WILDLIFE SERVICE (And State Game And Parks Commission, If Addressed). State (1) whether the proposed action is likely to adversely affect endangered or threatened species or areas designated as a critical habitat, and if so, describe the effects, and, (2) whether wildlife sanctuaries or refuges, National or State parks or forests will be affected, and describe any effects.

STATE WATER QUALITY OFFICIALS. State whether the proposed action is consistent with applicable Federal, State or Local water quality standards. Describe any inconsistencies.

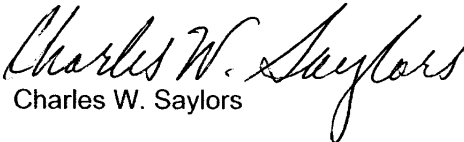
U. S. ARMY CORPS OF ENGINEERS. State (1) whether permits under Section 404 of the Clean Water Act (33 U.S. C. § 1344) are required for the proposed action and (2) whether any designated wetlands or 100-year flood plains will be affected. Describe the effects.

U. S. ENVIRONMENTAL PROTECTION AGENCY AND STATE ENVIRONMENTAL PROTECTION (OR EQUIVALENT AGENCY). (1) Identify any potential effects on the surrounding area, (2) identify the location of hazardous waste sites and known hazardous material spills on the right-of-way and list the types of hazardous materials

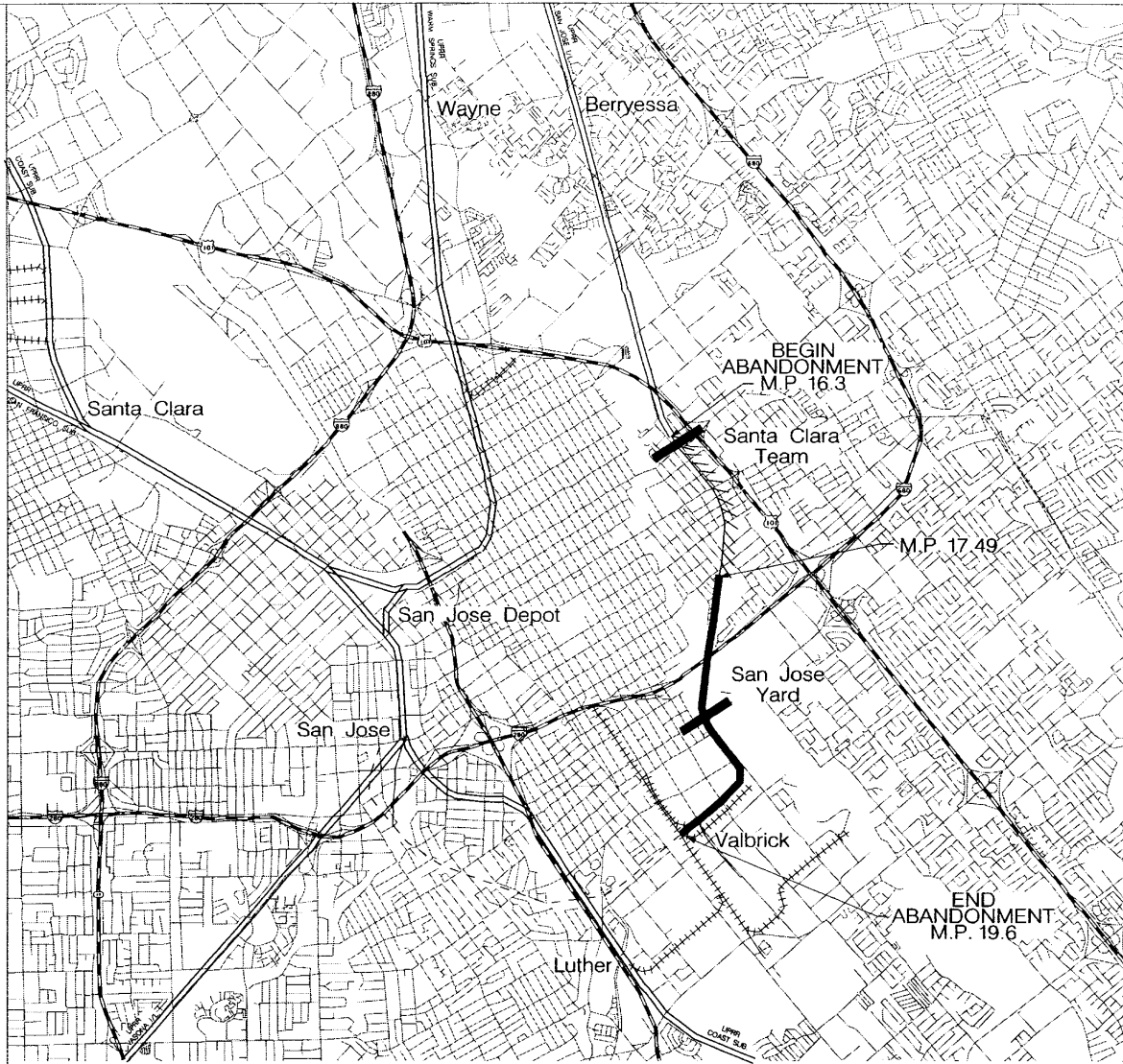
involved, and (3) state whether permits under Section 402 of the Clean Water Act (33 U.S.C. § 1342) are required for the proposed action.

Thank you for your assistance. Please send your reply to Union Pacific Railroad, Mr. Chuck Saylor, 1416 Dodge Street, Room 830, Omaha, NE, 68179. If you need further information, please contact me at (402) 271-4861.

Yours truly,

  
Charles W. Saylor

Attachment



BRIDGE NO.	BRIDGE TYPE	TOTAL LENGTH	DATE
16.32	5 SPAN TPTBD	75'	UNKNOWN
18.43	13 SPAN TPTOD	260'	UNKNOWN

#### LEGEND

- UPRR LINES TO BE ABANDONED
- UPRR TRACKAGE RIGHTS OVER SANTA CLARA VALLEY TRANSPORTATION AUTHORITY
- ABANDONED TRACK
- OTHER UPRR LINES
- OTHER RAILROADS
- PRINCIPAL HIGHWAYS
- OTHER ROADS
- 50+ YEAR OLD STRUCTURES

#### SAN JOSE INDUSTRIAL LEAD

MP 16.3 TO MP 19.6  
TOTAL OF 3.3 MILES  
IN SANTA CLARA COUNTY, CALIFORNIA

UNION PACIFIC RAILROAD CO.

SAN JOSE INDUSTRIAL LEAD

SANTA CLARA TEAM TO VALBRICK, CALIFORNIA  
INCLUDING 50+ YEAR OLD STRUCTURES

SCALE MILES

FILE: q:\abandonments\ab0343\_san.jose.dgn

DATE: 06-May-04 09:40

CHARLES W. SAYLORS  
DIRECTOR-LEGAL SUPPORT SERVICES

UNION PACIFIC RAILROAD COMPANY

ATTACHMENT 3

1416 DODGE STREET  
OMAHA, NEBRASKA 68179  
(402) 271-4861



June 25, 2004

California Department of Parks and Recreation  
Office of Historic Preservation  
P. O. Box 942896  
Sacramento, CA 94296-0001

Re: Proposed Abandonment of the San Jose Industrial Lead from Milepost 16.3  
Milepost 19.6, a distance of 3.3 miles in Santa Clara County, California;  
STB Docket No. AB-33 (Sub-No. 221X)

Dear Sir:

Enclosed for your review are six photographs of the bridge at milepost 16.32  
and seven photographs of the bridge at milepost 18.43 located on the San Jose Industrial  
Lead. The bridges are described as follows:

<u>Milepost</u>	<u>Description</u>	<u>Year Constructed</u>
16.32	5 Span TPTBD Total Length: 75 Feet	Unknown
18.43	13 Span TPTOD Total Length: 260 Feet	Unknown

Please advise if you believe there is any historical significance to the bridge.  
Thank you for your assistance.

Sincerely,

*Charles W. Saylor*  
Charles W. Saylor  
(402) 271-4861



Milepost 16.32





Milepost 16. 32



Milepost 16.32



Milepost 16.32



Milepost 16.32



Milepost 16.32



Milepost 18.43



Milepost 18.43



Milepost 18.43





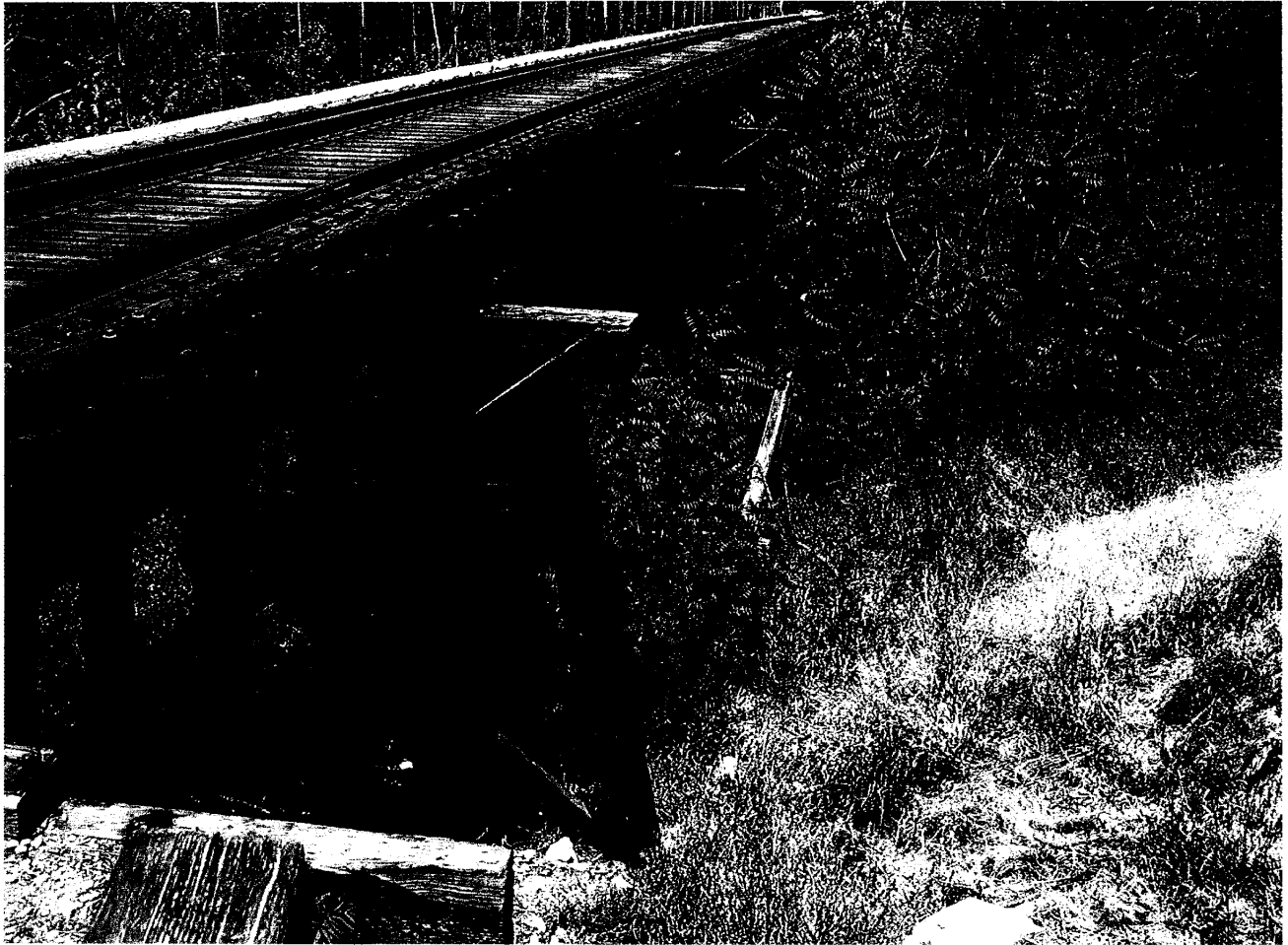
Milepost 18.43



Milepost 18.43



Milepost 18.43



Milepost 18.43